

COMMITTAL OF A MIDWIFE FOR MANSLAUGHTER.

[THE following report of a most remarkable case is abridged from an English paper of August 4th.]

We have this week to record one of the most extraordinary cases of improper treatment which has for some time come under our notice, and which has issued in the committal to York on a charge of manslaughter of a woman who for many years has been employed as one of the midwives to the Sheffield Public Dispensary. A jury of respectable gentlemen, having Mr. Bussey for its foreman, was impanelled at the Town Hall last Saturday afternoon at 5 o'clock, to make inquisition touching the death of a male child born, but not named, of the body of Mrs. Harriet Mappin, wife of Mr. Francis Mappin, of Queen's Court, Shepard street, file forger. It appeared that on the 27th of June last, Mrs. Mappin had occasion to call in the assistance of a midwife, and the person sent for was Mrs. Hannah Cushforth, of Brocco street, who had acted in that capacity for a number of years under the sanction of the officers of the Public Dispensary, and whose services under such circumstances were generally considered by the inhabitants of her neighborhood very efficient. In performing her office, from some cause or other she had the misfortune to separate the body of the child from its head; and, if the evidence of several witnesses be true, she made use of such instruments, and in such a manner, as to display on her part the greatest ignorance and inhumanity, sufficient, in the opinion of the jury, to justify them in returning the verdict mentioned above. The child was buried in the parish church yard, and for some time no investigation

into the case was instituted; but the facts having been brought before the board of governors of the Dispensary, and having come within the cognisance of Thomas Badger, Esq., the Coronor for the district, the body was forthwith ordered to be exhumed, and a strict inquiry was made into all the particulars. The best mode of presenting the case will be to give as cautious an abstract of the evidence as its character will admit.

Harriet Mappin, wife of Francis Mappin, of Shephard street, deposed—On Wednesday, the 27th of June, at 9 o'clock in the morning, I sent for Mrs. Cushforth, who is a midwife to the Dispensary, and resides near the Brocco. She came soon after 10 o'clock. She said I should not require her services for seven or eight hours. She asked for some tobacco, and began to smoke, but had nothing to drink. She asked me to send for half a jack of gin, and when it was brought she gave it to me. She got a piece of tape, and said it was to assist in the birth of the child. She asked me for 2d, and said she wanted to get some "American coffee" for me, as I was getting very weak and my feet cold. She got the "American coffee," and gave me some of it several times. After she had used the piece of tape she said she had lost it, and sent my mother for a halfpennyworth of broad tape. She used it, and said she had lost that piece also. That was about 2 o'clock in the afternoon. She got another piece of tape, and used it in like manner. She then said that if she touched the child again its head would come off. She hurt me a great deal, and I lost much blood. Part of the child was born at 3 o'clock. Mrs. Cushforth called to Mrs. Beaumont to come and see it, and said that its head was clean off, but that she had never touched it. She said the head was in the womb. When she used the tape, I saw her tie it, but I do not know how. She did not cut the navel string. After 4 o'clock she asked Mrs. Jowitt for a hook. Mrs. Jowitt said that there was nothing but the meat spit. Mrs. Cushforth said, "Well, bring it here." I saw her break one of the hooks off, and she told Mrs. Jowitt to straighten the wire which had been wrapped round it, but not to straighten the hook. This was done, and Mrs. Jowitt introduced the hook for the purpose of forcing the child out of the womb. It was an iron hook. She hurt me very bad, and I told her to let me alone, and let me die, as I was in so much pain. After drawing her hand backward and forward she took the hook out, and said it was of no use. About 6 o'clock, Mr. Moore, surgeon, was sent for. He came, and got out the head of the child, and at the same time the afterbirth. One of the feet of the child had been screwed round. The hook that she used she took away with her. Mrs. Jowitt took the child to be buried on the Friday after, in a box with leather hinges. I told her several times to let me alone, and let me die; but she said if I had a doctor he would hurt me much worse. The child was alive when Mrs. Cushforth first came.

[Evidence similar to the above, from other witnesses, is omitted here.]

Nathaniel Moore, of Moorfields, surgeon and chemist, said—On Wednesday, the 27th of June, between 5 and 6 in the evening, I was

called to attend Mrs. Mappin. I found her laid on a mattress on the floor, bleeding and very pale. Mrs. Cushforth was with her, and the first thing she said was, "Doctor, the child is part born." I found a male child without the head, with the navel string attached. I asked how long the body had been in that position, and she said three hours. I asked why they had not sent for a surgeon, and Mrs. Cushforth said she had wanted a surgeon to be sent for, but Mrs. Mappin would not permit it. The women in the house said they had wanted a surgeon to be sent for. I asked Mrs. Cushforth why she had killed the child, and she said it had been dead a fortnight. Mrs. Mappin denied this, and said it was alive when Mrs. Cushforth came. The right leg of the child was broken; there was a fracture on the thigh, and the feet were much injured. The right foot was torn off, and there were marks of violence all over the child. I did not see the iron book, but I saw one like it. I extracted the head of the child. I inferred that Mrs. Cushforth was afraid the woman would die, for she said, "Do attend to her." The child was about seven months gone. I never saw a more gross case of ignorance and want of skill, with more brutal treatment. I consider that with proper care the child might have lived. I desired Mrs. Mappin and the women to make the Dispensary or lying-in-hospital acquainted with the circumstances of the case. I told them not to bury the child till the woman was out of danger.

Robert Sorby, Esq., having been summoned by the Coronor to give evidence, deposed as follows—"I am a magistrate of the borough of Sheffield, and President of the Sheffield Public Dispensary. (The Coronor here told Mr. Sorby that the reason he had been called upon was to know whether any complaint had been made to him as President of the Dispensary about this case, and the conduct of the midwife.) Mr. Sorby proceeded—Last Wednesday week was our Board-day, and Mr. Hunter, one of the surgeons of the Dispensary, called upon me, and stated that a case would be brought before the Board that day relative to the death of a child whose mother had been attended by one of the midwives to the Dispensary. I told him that my engagements would not permit me to be present that day, but I desired him to bring the case before the Board, and have it fully investigated. By a minute of the Board made that day, I found that they appointed Mr. Beckitt and Mr. Barber, accoucheurs to the Dispensary, to investigate the case, and report upon it at the next meeting. Last Wednesday I was in the chair at the meeting of the Board, and their report was read, and the consequence was the dismissal was ordered immediately of Mrs. Cushforth, and it was registered in our books. I may state that this is not a case belonging to the Dispensary, only so far as she is a midwife to the Dispensary. There are no tickets issued to these poor women, though I do admit that we recognize her as one of our midwives. There was a note sent to the Board by Mrs. Cushforth, resigning her situation, about the time that she was dismissed. The case was investigated immediately that it was communicated to the Board. I think it only just and right to state that generally speaking we have had great satisfaction from the conduct of our midwives at the Dispensary, taking them as a body of individuals.

The Coroner observed that it was now a question whether women ought to perform that office at all.

The following is a copy of the report sent in by Mr. Beckett and Mr. Barber :

“ In compliance with your request that we should inquire into the complaint against Mrs. Cushforth, one of the midwives of your Dispensary, we beg respectfully to state, that we have done so ; and find that on Wednesday, the 27th of June, at the request of Mrs. Harriet Mappin, residing in Queen’s row, Shephard street, Mrs. Cushforth attended on her at her second confinement, and that she adopted unwarranted treatment, displaying great ignorance of her duties, and even greater want of humanity ; and that we recommend her immediate dismissal from her office of midwife to the Dispensary.”

Hannah Cushforth was then asked if she had anything to say, and she was cautioned in the usual manner. The Coroner told her that she was charged that by her gross and wilful ignorance in the delivery of that child she had separated the body from the head, and so caused its death. The child was living when she was sent for, and she was charged with having killed that child. Mrs. Cushforth then said—When I went to Mrs. Mappin’s in the morning I wanted to give up and send for a doctor ; but she said she had not a Dispensary ticket, and could not get a doctor without. I staid with her till dinner time, and then went home. I came back again, and she was just the same as when I went. I laid me down by her side till about 3 o’clock, and then I got up and tried a pain. I waited further till 4 o’clock, and then did in the like manner. Then the legs and body were born all at once. I was down on one knee and one foot, and I took hold of the body of the child at the next pain ; but she gave a sharp jerk back, which caused my knee to slip, and the head of the child went off. Then I told them to send for a doctor directly. They did not go directly, so then I sent for a halfpenny worth of tape, but I never used any tape. They went for the doctor, as I was informed, but he would not come without being paid, and I gave them a note to go to Mr. Smith, one of the Union surgeons. The doctor then came, and I told him how the misfortune had happened. I did not use either tape or hook. When the doctor had done what he had to do, I washed the child, and wrapped it up, and went home. I wanted to get some one else at 3 o’clock ; but she would not let me. It is twenty years since I became midwife, and I never had one misfortune all that time. I hope you will have mercy on me, and I am very sorry indeed ; but it is a very hard case for me.

Mrs. Mappin was re-called, and she repeated her former assertions that the tape was used three several times, and the hook once introduced into the uterus. Also that Mrs. Cushforth did not ask to send for a doctor.

The Coroner then said that this was a very difficult case in all its circumstances. There was considerable doubt whether the child had died through the wilful and rash ignorance of the midwife, or whether it was from an accidental slip or misfortune. It seemed scarcely possible, however, that such could be the case. It would be for the jury to say

in what manner they thought the child had died. If they thought the child was living, and would have maintained a separate, independent existence, and that the woman displayed such want of care and skill, with such rashness and violence, as caused the death of the child, the least they could do would be to bring in a verdict of manslaughter. The Coroner then quoted a case from one of the law books, in which a woman undertook to deliver a person, and displayed gross ignorance, in which case it was decided that she was guilty of manslaughter. This was one of the nicest cases and the most difficult he had ever met with, as to whether it would amount to manslaughter; but if, on the other hand, the jury thought the woman had exercised proper skill and care, then, taking the most lenient view of this certainly most extraordinary proceeding, they would return a verdict that this child came to its death accidentally.

The room was then cleared of all but the jury, and after consulting together for about an hour they found a verdict of manslaughter against Mrs. Cushforth, who was accordingly committed to York to take her trial for that offence.